### IN THE UNITED STATES BANKRUPTCY COURT FOR THE SOUTHERN DISTRICT OF TEXAS VICTORIA DIVISION

IN RE:	§	
	§	<b>CASE NO. 10-60149</b>
LACK'S STORES, INCORPORATED,	§	
ETAL.,1	§	(CHAPTER 11)
	§	
DEBTORS.	§	(Jointly Administered)

#### CERTIFICATE OF SERVICE

On this 7<sup>th</sup> day of January, 2011, a true and correct copy of the *Notice of Hearing on Motion of the Wilkerson Entities* (a) to Compel Timely performance of Post-petition Lease Obligations Pursuant to 11 U.S.C. § 365(d)(3) or, (b) in the Alternative, for the Allowance of Administrative Expense Claims Pursuant to 11 U.S.C. § 503(b)(1) has been served electronically by the Court's PACER system to those parties registered to receive electronic notice, and/or via e-mail or U.S. Mail, postage prepaid, as further specified on the attached list.

Dated: January 7, 2011 Respectfully submitted,

### **COX SMITH MATTHEWS INCORPORATED**

By: /s/ Aaron M. Kaufman
Mark E. Andrews

State Bar No. 01253520 mandrews@coxsmith.com

Aaron M. Kaufman

State Bar No. 24060067 akaufman@coxsmith.com

1201 Elm Street, Suite 3300 Dallas, Texas 75270 (214) 698-7800 (214) 698-7899 (Fax)

# COUNSEL FOR THE WILKERSON ENTITIES

<sup>&</sup>lt;sup>1</sup> The Debtors include Lack's Stores, Incorporated, Merchandise Acceptance Corporation, Lack's Furniture Centers, Inc., and Lack Properties, Inc.

# In re Lack's Stores, Incorporated Case No. 10-60149

#### **Master Service List**

**Debtors: (VIA MAIL)** 

Lack's Stores, Incorporated, et al. Attn: Melvin Lack 200 South Ben Jordan Victoria, TX 77901 Debtor's Counsel (VIA ECF AND E-MAIL)

Paul Heath, Richard London, Katie Grissel

Vinson & Elkins LLP 2001 Ross Ave., #3700 Dallas, TX 75201

E-mail: <u>rlondon@velaw.com</u> E-mail: <u>kgrissel@velaw.com</u>

**Financial Advisor to Debtor** Huron Consulting (**VIA EMAIL**)

Attn: Elaine Lane 550 W. Van Buren Chicago, IL 60607

E-mail:

elane@huronconsultinggroup.com

Office of the U.S. Trustee (VIA ECF AND E-MAIL)

Attn: Hector Duran 515 Rusk St., #3516 Houston, TX 77002

E-mail: <u>Hector.duran.jr@usdoj.gov</u>

E-mail:

ustpregion07.hu.ecf@usdoj.gov

**Financial Advisor to Debtor** 

Sandy Edlein/Stuart Walker (VIA

ECF)

E-mail:

Huron Consulting 500 N. Akard, #1940 Dallas, TX 75201

swalker@huronconsultinggroup.com

#### OFFICIAL COMMITTEE OF UNSECURED CREDITORS

Mike Murray (VIA E-MAIL)

Sealy Mattress Company One Office Parkway @ Sealy Dr.

Trinity, NC 27370

E-mail: mmurray@sealy.com

Counsel for Sealy Mattress Co. (VIA ECF)

William B. Sullivan

Womble Carlyle Sandridge & Rice,

P.L.L.C.

One West Forth St. Winston-Salem, NC 27101 E-mail: wsullivan@wcsr.com Jeff Schnurbusch (VIA E-MAIL) Furniture Brands International 1 North Brentwood Blvd. St. Louis, MO 63105

E-mail:

jschnurbusch@furniturebrands.com

Frank Chen (VIA E-MAIL)

Tartone Enterprises, Inc. 5055 S. Loop East Houston, TX 77033

E-mail: fchen8@hotmail.com

**Counsel for Tartone Enterprises** (VIA ECF)

Brian A. Abramson Diamond McCarthy, L.L.P. 909 Fannin, 15<sup>th</sup> Fl.

Houston, TX 77010

E-mail:

babramson@diamondmccarthy.com

George Najarian (VIA E-MAIL)

Najarian Furniture Co., Inc. 17560 E. Rowland St. City of Industry, CA 91748

E-mail: gn@najarianfurniture.com

Mike Mandell (VIA E-MAIL)

Ryder Integrated Logistics, Inc. 11690 NW 105<sup>th</sup> St. Miami, FL 33178

E-mail: mike\_mandell@ryder.com

**Counsel for OCC (VIA ECF)** 

Platzer Swergold Karlin Levine, Goldberg & Jaslow, LLP Attn: Clifford Katz

1065 Avenue of the Americas, 18th

Floor

New York, NY 10018

E-mail: <a href="mailto:ckatz@platzerlaw.com">ckatz@platzerlaw.com</a>

Financial Advisor to OCC (VIA EMAIL)

John T. Young, Jr. Senior Managing Director Conway MacKenzie, Inc. 1301 McKinney, #2025 Houston, TX 77010

E-mail:

jyoung@conwaymackenzie.com

E-mail:

khughes@conwaymackenzie.com

**Counsel to Furniture Brands** International, Inc., Broyhill Furniture Industries, Inc., and Lane Furniture Industries, Inc. Underwood Perkins, P.C. (VIA ECF)

Two Lincoln Centre, #1900

Dallas, TX 75240

E-mail: rlambert@uplawtx.com

#### **GOVERNMENTAL AGENCIES**

Internal Revenue Service (VIA) MAIL)

Special Procedures-Insolvency P.O. Box 7346

Philadelphia, PA 19101-7346

Texas Comptroller of Public Accounts (VIA MAIL) Revenue Accounting Division **Bankruptcy Section** 

P.O. Box 13528 Austin, TX 78711 Internal Revenue Service (VIA)

MAIL)

**Special Procedures** Stop 5022-HOU Stop 1919 Smith St.

Houston, TX 77002

U.S. Attorney for Southern District

of Texas (VIA MAIL)

Bank One

910 Travis. #1500 Houston, TX 77002

Texas Secretary of State (VIA

MAIL)

P.O. Box 12887

Austin, TX 78711-2887

Texas Workforce Commission (VIA

MAIL)

TEC Building - Bankruptcy

101 East 15<sup>th</sup> St. Austin, TX 78778

#### POTENTIAL SECURED LENDERS AND SENIOR LENDERS' COUNSEL

The CIT Group/Business Credit, Inc, James Chadwick (VIA ECF)

as Agent (VIA MAIL) Two Lincoln Centre, #200 5420 LBJ Freeway

Dallas, TX 75240

Patton Boggs, LLP

2000 McKinney Ave., #1700 Dallas, TX 75201

E-mail:

jchadwick@pattonboggs.com

City Bank Lubbock (VIA E-MAIL)

5219 City Bank Parkway Lubbock, TX 79407

E-mail: DJones@citybanktexas.com

#### City Bank, Texas (VIA ECF)

c/o Mark E. Andrews/Aaron M.

Kaufman

Cox Smith Matthews Incorporated 1201 Elm St., #3300

Dallas, TX 75270

E-mail: mandrews@coxsmith.com E-mail: akaufman@coxsmith.com

Prosperity Bank (VIA E-MAIL)

P.O. Drawer G El Campo, TX 77437

E-mail:

contactus@prosperitybanktx.com

First Victoria National Bank (VIA MAIL)

P.O. Box 1338

Victoria, TX 77902-1338

**Counsel for First Victoria National Bank and Prosperity** Bank (VIA ECF)

Richard T. Chapman Anderson, Smith, Null&Stofer, L.L.P.

One O'Conner Plaza, Seventh Floor Post Office Box 1969

Victoria, TX 77902 Fax: 361.573.5288

E-mail:

MAIL)

P.O. Box 1709

rchapman@andersonsmith.com

Thrivent Financials for Lutherans (VIA MAIL)

625 Fourth Ave. S

Minneapolis, MN 55415-1624

**Counsel for Thrivent Financial for Lutherans (VIA ECF)** 

Donald O. Walsh

Fishman Jackson Luebker PLLC 700 Three Galleria Tower

13155 Noel Road Dallas, TX 75240

E-mail:

dwalsh@fishmanjackson.com

#### TWENTY LARGEST UNSECURED CREDITORS

Lane Furniture Industries (VIA E-

MAIL) P.O. Box 1627 Tupelo, MS 38802 E-mail:

jschnurbusch@furniturebrands.com

shelly\_l\_hope@whirlpool.com

Steve Silver Company (VIA E-

Forney, TX 75126-8747

E-mail: <a href="mailto:sparker@ssilver.com">sparker@ssilver.com</a>

Brownchild Ltd Inc. (VIA E-MAIL) 1633 Bonnie Brae Houston, TX 77006

E-mail:

don.brown@brownchild.com

Whirlpool (VIA E-MAIL) P.O. Box 730316 P.O. Box 1918 41 CR 101 Dallas, TX 75373-0316 E-mail:

E-mail:

cmccoy@corinthianfurn.com

Corinthian Inc. (VIA E-MAIL)

Corinth, MS 38834

Standard Furniture Mfg., Co. (VIA

E-MAIL) P.O. Drawer 1089 Bay Minette, AL 36504-0749

E-mail: jaclyn.kloopf@sfmco.com

Michael Nicholas Designs, Inc. Oak Furniture West LLC (VIA

(VIA E-MAIL) MAIL) 6259 Descanso Ave. 9950 Marcon Dr., #106 Buena Park, CA 90620 San Diego, CA 92154 E-mail: mndin3@msn.com

Ryder Integrated Logistics, Inc. (VIA E-MAIL)

24610 Network Pl. Chicago, IL 60673-1246

E-mail: keith d pobuda@ryder.com

Progressive Furniture, Inc. (VIA E-MAIL)

Woodlands Designs P.O. Box 308

Archbold, OH 43502-0308 E-mail: janyse@progressive.com

Presidential (VIA E-MAIL) Austin American Statesman (VIA

66 Hincks St., Unit #1 E-MAIL) Canada Zip N3A2A3 P., Box 670

New Hamburg, Ontario 91761-7867 E-mail:

cwillsang@maGNUSSEN.com

Austin, TX 78767-0001

E-mail: rwallace@statesman.com

LG Electronics USA, Inc. (VIA E-MAIL)

P.O. Box 730241 Dallas, TX 75373-0241

E-mail: kristen.cubberly@lg.com

Sed International (VIA E-MAIL)

4916 N. Royal Atlanta Dr. Tucker, GA 30084

E-mail: dbutler@sedintl.com

Global Link Logistics, Inc. (VIA E-

MAIL)

1990 Lakeside Pkwy., #300 Tucker, GA 30084

E-mail:

mthaxton@globallinklogistics.com

Legends Furniture (VIA E-MAIL)

10300 W. Buckeye Rd. Tolleson, AZ 85353 E-mail: cs@buylegends.com

Lifestyle Enterprises (VIA E-MAIL)

529 Townsend

High Point, NC 27263

E-mail: kimg@lifestyle-us.com

#### NOTICES OF APPEARANCE

### Jay Lack (**VIA MAIL**) 2107 E. Commercial Victoria, TX 77901

### Tax Appraisal Districts of Bell, Brazos, Calhoun, Comal Taylor, Williamson Counties, LeVega ISD, Midland CAD (VIA MAIL)

c/o Michael Reed McCreary, Veselka, Bragg & Allen, P.C. P.O. Box 1269 Round Rock, TX 78680

### Victoria County (VIA ECF)

c/o Diane W. Sanders Linebarger Goggan Blair & Sampson, LLP P.O. Box 17428 Austin, TX 78760-7428 E-mail: Austin.bankruptcy@publicans.com

### BrownChild Ltd., Inc. (VIA ECF)

c/o Marc Douglas Myers 3120 Southwest Frwy., #320 Houston, TX 77098 E-mail: mm@am-law.com

# Walco Development, LP (VIA ECF)

c/o David S. Gragg Langley & Banack Incorporated Trinity Plaza II, Ninth Floor 745 E. Mulberry San Antonio, TX 78212-3166 E-mail: dgragg@langleybanack.com

# Angelina, Matagorda and Wharton Counties, City of Clute (VIA ECF)

c/o John P. Dillman
Linebarger Goggan Blair & Sampson,
LLP
1301 Travis St., #300
Houston, TX 77002
E-mail:
Houston bankruptcy@publicans.com

### Consolidated Texas Corporation, Life Protection Insurance Company, Consolidated Lloyds, Consolidated Insurance Association, Wright Titus Agency (VIA ECF)

c/o Frances A. Smith Shackelford Melton & Mc Kinley 3333 Lee Parkway, 10<sup>th</sup> Floor Dallas, TX 75219

E-mail: fsmith@shacklaw.net

# First State Bank of Uvalde (VIA ECF)

c/o Patrick H. Autry
The Nunley Firm, PLLC
1580 S. Main St., #200
Boerne, TX 78006
E-mail: pautry@nunleyfirm.com

#### **Bexar County (VIA ECF)**

c/o David Aelvoet Linebarger Goggan Blair & Sampson, LLP 711 Navarro, #300 San Antonio, TX 78205 E-mail: davida@publicans.com

### Steve Silver Company, United Furniture Industries, Inc., Michael Nicholas Designs, Inc., Legends Furniture, Inc., Standard Furniture Manufacturing Co., Inc. (VIA ECF)

c/o Jason s. Brookner Andrews and Kurth LLP 1717 Main St., #3700 Dallas, TX 75202

E-mail: jbrookner@akllp.com

# The CIT Group/Business Credit, Inc. (VIA ECF)

c/o Brent Ryan McIlwain
Patton Boggs, LLP
2000 McKinney Ave., #1700
Dallas, TX 75201
E-mail:
bmcilwain@pattonboggs.com

### Banana Split Investments, Inc., Blue Parrot Investments, Inc. Mac Rents, L.P., Jane S. Lack and Melvin Lack (VIA ECF)

c/o Eric J. Taube Hohmann Taube & Summers, LLP 100 Congress Ave., #1800 Austin, TX 78701

E-mail: erict@hts-law.com

# Midland County Tax Office (VIA ECF)

c/o Galen Gatten, Jr.
Perdue Brandon, et al.
P.O. Box 50188
Midland, TX 79710
E-mail: ggatten@pbfcm.com

# Whirlpool Corporation (VIA ECF)

c/o Stephen B. Grow Warner Norcross, et al. 111 Lyon St. NW, #900 Grand Rapids, MI 49503 E-mail: sgrow@wnj.com

# 3111 Cuthbert Corporation (VIA ECF)

c/o Michael G. Kelly Rush Kelly Morgan Dennis Corzine & Hansen 4001 East 42<sup>nd</sup> St., #200 Odessa, TX 79762

E-mail: mkelly@rkmfirm.com

#### Wells Fargo Bank (VIA ECF)

c/o Jeffrey G. Gann 5080 Spectrum Dr., #500E Addison, TX 75001-4648 E-mail:

Jeffrey.g.gann@wellsfargo.com

### **SED International, Inc. (VIA ECF)**

c/o Mark Marani Cohen Pollock Merlin & Small 3350 Riverwood Parkway, Suite 1600

Atlanta, Georgia 30339 Email: <a href="mailto:mmarani@cpmas.com">mmarani@cpmas.com</a>

#### **Bob Mills Furniture (VIA ECF)**

c/o Ross A. Plourde
McAfee Taft, A Professional
Corporation
10<sup>th</sup> Fl., Two Leadership Square
211 N. Robinson
Oklahoma City, OK 73102-7103
Email:

ross.plourde@mcafeetaft.com

#### IBM Credit, LLC (VIA E-MAIL)

c/o Vicky Namken IBM Corporation 13800 Diplomat Dr. Dallas, TX 75234

E-mail: vnamken@us.ibm.com

# Gregg and Smith Counties (VIA ECF)

c/o Elizabeth Weller Linebarger Goggan Blair & Sampson, LLP 2323 Bryan St., #1600 Dallas, TX 75201 E-mail:

dallas.bankruptcy@publicans.com

#### BMW Holdings (VIA EMAIL)

c/o Heather R. Potts MCFALL, BREITBEIL &SMITH, P.C. 1250 Four Houston Center 1331 Lamar Street

Houston, Texas 77010-3027 Email: hpotts@mcfall-law.com

# **Standard Furniture Co., Inc.** (VIA ECF)

c/o Jason S. Brookner Andews Kurth LLP 1717 Main St., #3700 Dallas, Tx 75201

Email: jbrookner@akllp.com

#### Collin County Tax Assessor/Collector (VIA ECF)

c/o David McCall Gay, McCall, Isaacks, Gordon & Roberts, P.C. 777 East 15<sup>th</sup> St. Plano, TX 75074

Email: <u>bankruptcy@ntexas-</u>

attorneys.com

#### Wells Fargo Bank, N.A. (VIA ECF)

c/o Robert L. Barrows
Warren Drugan & Barrows, P.C.
800 Broadway
San Antonio, TX 78215
Email: rbarrows@wdblaw.com

### Gayle Cannon (VIA E-MAIL)

9305 Prince William Austin, TX 78730

Email: gayle.cannon66@gmail.com